

THAW'S COUNSEL WINDS UP PUBLIC PROCEEDINGS

Both Sides Will Submit Briefs, Probably This Week, to Justice Keogh.

THAW STAYS WHERE HE IS

Shearn's View of the Inception of the Insanity Plea in the Original Defence.

WHITE PLAINS, July 16.—Following the hearing as to the present mental condition of Harry K. Thaw before Supreme Court Justice Keogh in the habeas corpus proceedings to obtain Thaw's release from the Matteawan asylum for the criminal insane, Thaw's counsel, Clarence J. Shearn, made his argument to-day before Justice Keogh. William T. Jerome, representing the Attorney-General's office, will not sum up orally, but will submit a brief to the court. Mr. Shearn also will hand in a brief, probably before the end of the week.

There were fewer than fifty persons in the court room to-day. These included Harry Thaw's mother, Mrs. Mary Copley Thaw, his sisters, Mrs. Carnegie and Mrs. Alice Thaw and Joshua Thaw. Harry Thaw sat with the other members of the family.

In beginning his argument Mr. Shearn said that the sole question was whether Thaw's condition at this time would make it dangerous to release him. Further along he said that much of the unwholesome part of the evidence in the Thaw case came into it "through Hartnett's sealed hands."

Mr. Jerome, who had been seated looking out of a window and seemingly the least interested man in the room, jumped up and said:

"I have promised not to interrupt the argument, but I want to say that I am not a party to this case. I am only a witness to it."

Mr. Shearn argued that the belief that Thaw was insane was based on more or less reasonable view of various facts. He said Thaw believed he was in danger of being shot by White and that he was being followed by members of the Monk Eastman gang.

Thaw's belief, said Mr. Shearn, that White and men associated with him maintained places to which girls were taken, had been characterized as a delusion. But, the lawyer said, it had been proved that White did maintain such a place.

Speaking of the inception of the theory that Thaw was suffering from insanity, Mr. Shearn said it originated in the wish of Judge O'Leary, of his counsel, to save his life, from the desire of the counsel for the White family to avoid the prosecution of Thaw and the dragging into view of the scandal and in the desire of De Lancey Nevill, who was retained by friends of White to protect them from the publication of their names. The plan to railroad, as Mr. Shearn said, Thaw to an asylum and end the case forever had not been suggested by the White family, but was one which was only too willing to get rid of the matter by landing Thaw in an asylum as incurable.

In back of all of the proceeding, said Mr. Shearn, that have taken place since that time have been Dr. Flint and Mr. Jerome. Dr. Flint, he said, had written editorial articles for newspapers to arouse public sentiment against the release of Thaw and had done this, as the doctor testified, as a matter of public duty. Mr. Shearn asked why if the doctor wrote these articles as a public duty he had not testified by his testimony from the public treasury. Mr. Shearn characterized Dr. Flint as a professional witness, as on this side and on the other.

He spoke of Mr. Jerome as "that sensationalist, who uses unfair and unprofessional methods to attain his ends, who substitutes sneers and innuendoes for proof and has hounded Thaw for six years like a human hyena."

When the court was about to rise Mr. Shearn remarked, "The same commitment case does it over and over again. Justice Keogh assented. This means that Thaw will remain in the Westchester county jail for the present and probably until Justice Keogh renders his final judgment."

EVELYN THAW'S CLOTHES.

Louise & Co., Selling Her, Name Some of the Things She Bought.

That Mrs. Evelyn Nesbit Thaw ordered two pink and yellow gowns costing \$350 each in the fall of 1908 is disclosed in a complaint filed in the Supreme Court yesterday in a suit brought against her by Louise & Co. to recover \$250 for articles furnished between April and December, 1908.

Among the other articles on the list were: Pond blue dress, \$300; blue chiffon dress, \$300; blue and white checked coat, \$250; two handkerchiefs, \$5; blue parasol, \$15; white dress, \$325; ivory fan, \$50; old rose veil, \$15; and blue veil, \$20.

HEARST MAN FOR T. R.

Independence League District Leader Joins Third Party.

Bernard Rothberg, the Independence League leader in the Twenty-second Assembly district, in a letter to the Roosevelt headquarters in Brooklyn said that as the Independence League has no national ticket in the field its members have a right to consult their personal inclinations and follow their sympathies in the choice of a standard bearer. Roosevelt, he says, in his eyes represents the real principle of popular government and he knows that the people of his district are for him.

L. L. Woodruff will remain at headquarters for a couple of days planning for the organization of the county committee of sixty-nine which is to be perfected at the Johnson Building next Tuesday night.

WANTS NO FACTION FIGHT.

Empire State Democracy Appeals to McLaughlin in Va.

Alonso G. McLaughlin, president of the Empire State Democracy Club, has turned down an invitation to join in the up-State movement to start a warfare against Charles F. Murphy and Tammany Hall and enroll in the Empire State Democracy. In a letter to Senator Franklin D. Roosevelt he said:

"Acknowledging receipt of the call for organization of the Empire State Democracy, I beg to say that I am heartily in favor of all that is possible to elect Wilson and Roosevelt, and for that reason I must respectfully decline to attend the meeting or take any part in the organization or its activities."

No matter how much I might feel inclined to wage warfare against the party which appears to me that the party of the future is, I am not prepared to do so at this time and by united effort we will win.

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THE IDEAL INVESTMENT

Our GUARANTEED MORTGAGES netting 4½% on New York City Real Estate with Principal and Interest guaranteed.

LAWYERS MORTGAGE CO.

RICHARD M. MURD, President
Capital & Surplus, \$8,500,000
50 Liberty Street, Manhattan
184 Montague Street, Brooklyn

DROPPED IN ON DINERS.

Anti of Insane Bridgeman Star-ling Passengers on Liner.

Hermann Eggers of 107 Coles street, Jersey City, a second cabin passenger on the Kaiser Wilhelm II., in yesterday from Bremen, became violently insane on the ship last Thursday night and while the first cabin passengers were at dinner jumped fifteen feet from the upper deck into the dining saloon on the deck below. He landed between tables and hurt no one, not even himself.

Eggers was married recently and had taken his bride to Europe on a honeymoon. He suddenly decided to return, leaving Mrs. Eggers on the other side. He evidently intended to go back to Germany soon, as he bought a round trip ticket.

Before Eggers dropped in on the first cabin diners he walked to the rail of the gallery above the saloon and surveyed the tables below. Then he mounted the rail and before stewards could reach him leaped down. As the diners rose from their chairs, a little frightened, Eggers picked himself up, seemingly unhurt, and quietly took a vacant seat at a nearby table. The diners then thought the matter was a prank accomplished for the winning of a bet or for some such reason and started to go on with their dinner.

It chanced that the table where Eggers took a seat was occupied by three physicians, Dr. Fred Murphy, Dr. W. Bartlett and Dr. Albert J. Ochsner, all of whom are connected with the Washington University in St. Louis. Eggers engaged in conversation with the physicians and they quickly saw that he was demented. Dr. Weber, the ship's surgeon, went over and took a seat at the same table, and coming to the same conclusion he and the other physicians asked Eggers to join them in the smoking room. They led him to the hospital and there he became violent and was put under restraint.

Eggers's brother met him at the pier yesterday and with the help of Dr. Weber got him into an automobile and took him away. Eggers is 29 years old, of good appearance and was well dressed.

MAY JOIN CATHOLIC SCHOOLS.

Project to Unite Fordham and St. Francis Xavier.

A proposition to join the collegiate department of St. Francis Xavier College with that of Fordham University is being considered by the superiors in the Society of Jesus. The plan that has found most favor is to remove the college in West Sixteenth street to Fordham, where conditions are appropriate for an enlargement of the present educational facilities. This would permit of the enlarging of the grammar, school and academic departments at St. Francis Xavier.

No decision has yet been arrived at with regard to the proposed change. At Fordham it was said that the change was being discussed, but that the plan had not yet been fixed upon. Mr. LaVelle said that he understood the idea was to enlarge the academy, located at St. Francis Xavier by removing the college to Fordham and joining the collegiate departments of the two institutions.

Fordham University was established in 1841 and is the largest Jesuit institution in the United States. The law school and medical school were established in 1895. The total number of students approaches a thousand. At St. Francis Xavier College there were last year 540 students.

WALTER GIBB RETURNS.

Called Home From Europe Because of His Brother's Death.

Among the passengers who arrived yesterday on the Kaiser Wilhelm II. from Bremen were Walter Gibb of Frederick Looser & Co., of Brooklyn and Mrs. Gibb. Mr. Gibb's younger brother, Lewis Mills Gibb, died suddenly at Bay Shore a week ago. Others on board the Kaiser Wilhelm II. were Mr. and Mrs. John W. Auchincloss, Assemblyman and Mrs. Charles A. Dana, Mr. and Mrs. Louis V. De Foe, Carl Jörn, one of the tenors at the Metropolitan; Paul Poggenburg, billiard player; E. B. Corey, Arthur Friedman, J. H. Hertz, Mr. and Mrs. Hugo Jaekel, Mr. and Mrs. Frederick Klipp, Sir Sydney Olivier, Mr. and Mrs. Aaron P. Ordway, Capt. H. K. Rutherford, John Thompson Spencer, Prof. Nikolai Schiloff, Mr. and Mrs. R. Henry Depew, the Baroness de Montaru, Mr. and Mrs. Hugo Stearns and James S. Warner.

Chief Engineer E. Prillwitz of the Kaiser Wilhelm II. on his return voyage to Bremen will celebrate his twenty-fifth year as a chief engineer in the service of the North German Lloyd.

SPECIAL NOTICES.

Colorado is a Wonderful Place for Children

I don't know any other place where children are so benefited from a few weeks of outdoor life as they are in Colorado. The summer life out there is about as ideal as can be imagined, and you can live there nowadays so comfortably and at such moderate cost. It is easy to go to Colorado, as only one change of cars is necessary, and the trains are so comfortable and modern with their Pullmans and dining cars and electric lights and patent ventilators that the trip out and back is really a great part of the pleasure of it all.

I would like very much to send you some pamphlets published by our railroad, the "Burlington Route," containing maps and pictures, and telling about the country, the hotels, boarding houses, etc.

Will you kindly write a postal card to me and I will send the pamphlets and suggest the best places to visit. Write to: Eastern Passenger Agent, C. & O. R. R., 114 Broadway, New York City. Telephone Mad 4-1206.

PANIC AS STEAMBOATS COLLIDE IN JAMAICA BAY

Rosedale Cut Into by Nassau and Beached on the Flats.

SMALL BOATS TO RESCUE

Signals Probably Misunderstood in Narrow Rockaway Beach Channel.

The steamboats Rosedale and Nassau, plying between Manhattan and Rockaway, came together at about 1 o'clock yesterday afternoon in the Rockaway channel about three-quarters of a mile from shore and the Rosedale was beached in the marshes. The Nassau struck the Rosedale bow on about fifty feet abaft the stem and ploughed into her for nearly ten feet, wrecking the superstructure and denting the plates of the hull. The Rosedale's passengers were taken off by small craft.

The Rosedale is about 300 feet long. She is owned by Anning J. Smith of 149 Broadway. The Nassau is leased by her captain, Jacob Rowe, from the Long Island Railroad Company, and for a few days has been put on the Rockaway trip as sister boat to the Rosedale. She is about 150 feet in length.

The Rosedale left Rockaway at 12:31 o'clock on the Manhattan and was in the channel where it is only about seventy feet wide when she clashed with the Nassau, which was going in the opposite direction. Capt. Harry Smith of the Rosedale says he gave the signal for the Nassau to pass him to port, and his crew all say they heard the signal. Capt. Rowe of the Nassau says there was no signal.

The Nassau swung toward the Rosedale and although the engines of both vessels were reversed they came together with a crash that was heard plainly on the inner Rockaway shore. The passengers of the Rosedale, which carried about forty men and women, rushed to the rail in a panic. Then Capt. Smith turned the boat toward the marsh and ran her aground about 300 feet away, where she lay slightly heeled.

The Nassau backed off and went aground on the edge of the channel, but managed to get off a few minutes later under her own power and stood by. Small craft by the dozen scurried to the side of the Rosedale and her frightened passengers were taken off and sent ashore. When Capt. Rowe of the Nassau saw that his services were not needed he proceeded to Manhattan, only a little paint was scratched from the bow of the Nassau.

Capt. Smith said after the accident that only one steamboat at a time should ever be in the channel on account of its narrowness. The crews seemed to think that the collision was caused by a misunderstanding of signals.

MRS. SPENCER-STADLER FAILS.

Owner of John Hoey Property at Long Branch Assigns.

Muriel V. Spencer-Stadler, 350 West Eighty-fifth street, owner of the Hollywood Hotel at West End, Long Branch, N. J., has filed a voluntary petition in bankruptcy, giving her liabilities as \$228,513 and estimating her assets at \$225,000, mostly in real estate.

Among Mrs. Spencer-Stadler's creditors are her husband, A. Lincoln Stadler, of 435 Fifth avenue, whom she married last fall. All her debts were incurred before her marriage.

The assets consist of the Hollywood Hotel, the cottages and the homestead property of the late John Hoey at Long Branch, appraised at \$127,000. On the real estate are mortgages aggregating \$193,849. Of the liabilities \$204,528 are secured and \$123,785 unsecured.

When Mrs. Spencer-Stadler took possession of the property in 1911 there were two mortgages on it for \$135,934, which she assumed, and since then six other mortgages have been placed on it. Among the secured creditors are the Pennsylvania Mutual Life Insurance Company of Philadelphia, \$60,275; Elizabeth S. Stadler, Hartford, \$35,934; W. E. Olson, Brooklyn, \$31,800; the Pennsylvania Mutual Life Insurance Company of Philadelphia, \$12,700; Elizabeth J. Webb, Washington, D. C., \$5,000; Archibald P. Knight, Kingston, Ont., \$10,000; and A. Lincoln Stadler, \$10,057. Among the unsecured are the Long Branch Sewer Company, \$500; Roscoe Lumber Company, \$300; Austen Nichols & Co., \$1,283; and the William Darling Press, \$304.

Mrs. Spencer-Stadler did not run the hotel this year. She leased it for the season to Albert Randegger, Jr., and the rents have been assigned to her husband.

GOULD FAMILY PARTY SAILS

To Visit Lady Decies, Who Will Before Long Become a Mother.

Mr. and Mrs. George J. Gould, Mr. and Mrs. Anthony J. Drexel, Jr., and Edith Kingston Drexel, Kingston Gould and Gloria Gould sailed yesterday on the Cunarder Lusitania for Liverpool. They are to go to Sefton Park, the home of Lord and Lady Decies, to stay until September, when Lady Decies, who was Vivian Gould, expects to become a mother. After that they will go to Mr. Gould's place in Scotland for the shooting.

In the pier Mr. Gould said that he did not believe that politics was having any effect on business. The market was inactive at present, he said, but that was merely the usual summer quiet. Mr. Gould says he looks for a prosperous year whatever the result of the election and in spite of the fact that this is a campaign year.

Others on the Lusitania were Mr. and Mrs. Harry Payne Whitney, Mr. and Mrs. J. A. Burden, Mr. and Mrs. A. D. Juilliard, Frank A. Munsey, Lord Montagu of Beaulieu, Col. J. T. McLean, and W. T. Fitzgerald of Toronto, Mr. and Mrs. H. P. Nelson of Chicago, Frederic W. Whitridge, H. V. McKay and Mr. and Mrs. H. B. Holland.

OFFICIAL MOSQUITO SLAYER.

Philadelphia Appoints "Diplomatist" to Rid City of Pests.

PHILADELPHIA, July 16.—Director Morris L. Cooke of the Department of Public Works to-day appointed Harry Hoeging as the official mosquito slayer of this city at a salary of \$5.95 per day. There has been an appropriation of \$5,000 made to rid the city of these pests and Hoeging says he will begin at once.

The official "diplomatist" has been conferred upon him. Mr. Hoeging's methods are unique and as a mosquito assassin his record is said to excel anything that the United States Government has in its employ.

LOAN SHARK KING GUILTY.

Seizure of Brooklyn Gives Up Fight and Gets Ten Days.

John E. Schultz, manager of the State Loan and Realty Company of 50 Court street, known in Brooklyn as the "king of the loan sharks" and against whom eight indictments for usury were pending, gave up his fight yesterday and within an hour surrendered himself. He pleaded guilty and began a sentence of ten days in Raymond street jail at once. He was also fined \$2,000, or \$250 on each indictment.

SPARKS FROM THE TELEGRAPH.

Andrew Carnegie's willingness to contribute a memorial for World War veterans, plotters in aviation, was announced today in a letter received by the Dayton, Ohio, Aeronautical Society.

A loss of \$125,000 was sustained when the plant of the Northwestern Paper Stock Company at Chicago, Ill., was destroyed by fire and threatened other factories in the vicinity.

Senator Tillman of South Carolina yesterday introduced his resolution directing the United States government to construct a machine to be used in the future.

OUTS MRS. MACNAUGHTON.

Surrogate Won't Let Her Execute Will of Her First Husband.

Mrs. Clara Hughes Macnaughton, widow of Allan Macnaughton, whose first wife was the late Myra Kelly, the writer, was removed yesterday by Surrogate Cohan as executrix under the will of her first husband, Frederick D. Hughes, who died several years before she married Macnaughton. The latter died a month after he married Mrs. Hughes.

Proceedings to remove Mrs. Macnaughton as executrix under the Hughes will were instituted by her stepdaughters, Mrs. Elizabeth Hughes Blakeman of Brooklyn and Mrs. Hattie M. Ryder of New Haven. They alleged that the estate, which was left in equal shares to them and to the executrix, had been wasted under her management and that she had sold railroad securities to buy worthless mining stock. They alleged that the estate amounted to \$45,000 when Mrs. Macnaughton got it.

In defence Mrs. Macnaughton filed an accounting showing that the estate amounted to \$17,000. She said she thought the purchase of the mining stock was a good investment for the estate, because she saw the mine and believed it would be profitable. She said her stepdaughters were trying to harass her.

Washington, July 16.—Rumors that the recent resignation of Dr. A. Platt Andrews of Massachusetts as Assistant Secretary of the Treasury would shortly be followed by the resignations of other high officials of the department took on renewed interest to-night.

This came after the publication by the White House of letters written to the President by several present and former officials of the department who were named in Dr. Andrews's letter of resignation as having had difficulty with Secretary MacVeagh.

Of all the present officials mentioned by Dr. Andrews only two have failed to write to the President giving assurance of their loyalty to the President and Secretary MacVeagh. These two are those whose resignations have been predicted, Lawrence O. Murray, Comptroller of the Currency, and Lee McClung, Treasurer of the United States.

That most of these letters were written within the last few days and not at once after Dr. Andrews made his letter public is regarded as significant. Secretary MacVeagh, on returning to his office on July 8, stated that he knew of no dissatisfaction or disloyalty. Smith and Murray were members of the famous Roosevelt "Tennis Cabinet."

Dr. Andrews in his letter excoriated Secretary MacVeagh for his alleged demoralization of the administration of the Treasury Department and its various outside divisions referred to the past and present officials and invited the President to question directly the accuracy of his description of conditions in the department.

The list includes Charles Dewey Hiles, former Assistant Secretary of the Treasury and at the time secretary to the President; Joseph E. Ralph, director of the Bureau of Engraving and Printing; Treasurer McLaughlin, Charles A. Kram, auditor for the Post Office Department; Mr. Kram's immediate predecessor, Mr. Chance; Charles P. Montgomery, former assistant chief of the Customs Division; Comptroller Murray; and Lee McClung, Cashier of Internal Revenue and James Knox Taylor, former supervising architect.

While the letters were given out at the White House without any comment whatever the impression prevails that the President called on those named to show how they stood in the matter.

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All of these letters, as well as the letters of Mr. Norton, Mr. Kram and Mr. Cabell, speak in strong terms of the happy relations the writers have had with Secretary MacVeagh. All of them declare their names were used by Dr. Andrews without warrant and without their knowledge or consent.

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Representative Fitzgerald of New York, chairman of the Appropriations Committee, and a few others filibustered against the measure on the ground that it was unconstitutional, but they were unable to prevent its passage. An unsuccessful attempt was made to extend the operations of the bill to speculation in grain as well.

The measure provides that it shall be unlawful for any person to send any message offering to make a contract for the purchase or sale of future delivery of cotton without intending such cotton shall be actually delivered and received. A penalty of not less than \$100 and not more than \$1,000 and imprisonment for

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COOLING RAIN ARRIVES.

Was Welcomed After Day of Suffering From Heat and Humidity.

A delayed rainstorm was welcomed to town last night after a hot day. The storm was heralded by lightning long before the rain arrived. The rain fell in uptown New York and nearby Jersey an hour before it got to lower Manhattan. It began about 10 o'clock in the theatrical district and in the upper West side and sent indoors a good many persons who were trying to find a cool spot by strolling about.

The thermometer in the Weather Bureau registered 91 degrees as the high point yesterday. The temperature, however, was accompanied by a lowering of the humidity. The mercury was lowest at 5 A. M., 74 degrees, and then climbed until it reached 91 degrees at 2:30 P. M. At that time the humidity was dropping from 81 at 8 A. M., the high point yesterday, to 45 at 2 P. M., the lowest for the day. At 5 P. M. the humidity had gone up again to 56.

The predictions are that to-day will be generally fair, with light to moderate winds, their direction varying from northeast to southeast.

There was one death attributed to the heat in Brooklyn and five prostrations yesterday. The victim was Louis Joseph, a janitor, who was found dead on the roof of the apartment house at 262 Bergen street.

An unidentified man about 60 years old, died from the heat yesterday morning in the subway station at Eighth-tenth street. There were fourteen prostrations.

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McCLUNG AND MURRAY EXPECTED TO RESIGN

They Do Not Reply to Taft's Letter Asking About Andrew Controversy.

OTHERS LIKE MACVEAGH

Speak in High Terms of Secretary in Letters Seen at the White House.

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ARCHBOLD TRIAL BEGINS.

Oaths Administered to Senators and \$10,000 Voted for Cost.

WASHINGTON, July 16.—Trial of the impeachment against Judge Robert W. Archbald of the Commerce Court was formally begun in the Senate this afternoon, when the oaths were administered to Senators and the House managers were notified to present themselves at the bar of the Senate.